

upon, such operation, or otherwise causes or significantly contributes to violation of the authority's NPDES permit; or

- (2) The limitations set forth in this division may be unreasonably restrictive when applied to a specific industry, and imposing a less stringent limitation will not cause or contribute to violation of any state or federal requirement of law; or
- (3) Specific standards have been established by the state or federal government for a specific category of industrial user which would supersede the limitations set forth in this article with respect to such category.

(Code 1961, § 22A.12; Ord. No. 566, § 1, 11-10-75; Ord. No. 715, § 4, 1-10-84; Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-161. Permits.

(a) *Applications:* Applications for permits required or authorized pursuant to the provisions of this division shall be in writing in such form as the director shall require, and shall set forth the following:

- (1) The name and address of the applicant;
- (2) The location and description of the discharge proposed to be permitted;
- (3) A detailed description of any work to be performed, and materials and equipment to be used in carrying out the provisions of such permit; and
- (4) Such other information deemed necessary by the director to determine the effect upon the sewerage facilities of the proposed discharge or activities related thereto, or otherwise reasonably necessary to enable the director to carry out the provisions of this article, or any other requirements of law.

(b) *Conditions:* Permits required or authorized pursuant to the provisions of this division shall be subject to reasonable terms and conditions determined necessary or appropriate by the director in

order to carry out the provisions of, and insure compliance with, this article, or of any other requirements of law.

(c) *Fees:* No such permit shall be issued until all applicable fees and charges established pursuant to this article have first been paid.

(Code 1961, § 22A.13; Ord. No. 566, § 1, 11-10-75; Ord. No. 952, § 1(Exh. A), 7-25-00)

Secs. 21-162—21-167. Reserved.

DIVISION 5. WASTEWATER VOLUME DETERMINATION

Sec. 21-168. General.

For the purposes of this article, unless otherwise provided pursuant to the provisions of this division, wastewater volumes shall be determined upon the basis of volumes of freshwater, including all sources of non-wastewater, used by, or furnished to, a user.

(Code 1961, § 22A.14; Ord. No. 566, § 1, 11-10-75; Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-169. Metering.

Upon application of a user, and upon a finding by the director that a significant portion of freshwater or non-wastewater, received by the user from any metered source does not flow into the sewerage facilities because of the principal activity of the user, or by reason of removal of wastewater by other means, the director may authorize determination of the volume of wastewater discharge to be made by an appropriate metering device. Upon such determination by the director, a metering device, of a type approved by the director, and at a location approved by the director, shall be installed at the user's expense. Such metering device shall measure either the amount of wastewater discharged into the sewerage facilities, or the amount of freshwater or non-wastewater diverted from the sewerage facilities. Upon installation, such meters shall be maintained and tested periodically for accuracy in accordance

with requirements established by the director, all of which maintenance and testing shall be at the expense of the user.

(Code 1961, § 22A.15; Ord. No. 566, § 1, 11-10-75; Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-170. Estimation.

In lieu of use of a metering device as specified in section 21-169 and upon a determination by the director that it would be unnecessary or impracticable to install, maintain or operate such metering device, wastewater volume discharged by a user into the sewerage facilities may be based upon an estimate thereof determined by the director. The determination of such estimated wastewater volume shall be based upon such factors as the number of fixtures through which wastewater flows into the sewerage facilities from the user's premises, seating capacity of buildings or improvements upon the premises, the population equivalent associated with the premises, annual production of goods and services related to the premises, or other factors reasonably relating to water use, wastewater volume calculations, and/or diversions of wastewater flow from the sewerage facilities.

(Code 1961, § 22A.16; Ord. No. 566, § 1, 11-10-75; Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-171. Permit required.

(a) Permission for calculation of wastewater volumes to be determined in accordance with the provisions of section 21-169 or 21-170 shall only be granted by a permit issued by the director, or as a provision of such other permit as may be required or provided under this article. In the event such permission is granted pursuant to a separate permit, applications therefor shall be in writing in such form as the director shall require, and shall set forth the following:

- (1) The name and address of the applicant;
- (2) The location, or other description of the premises served by the sewerage facilities and for which such calculation is proposed to be made;
- (3) Reasons supporting use of a metering device or calculation of estimated volumes, as appropriate; and

- (4) Such data, statistics, or other information deemed necessary or appropriate by the director to enable him to make the finding or determination specified in section 21-169 or 21-170, as appropriate.

(b) Permits authorized pursuant to the provisions of this division shall be subject to reasonable terms and conditions determined necessary or appropriate by the director in order to carry out the provisions of, and insure compliance with, this article, or other requirements of law.

(c) No such permit shall be issued until all applicable fees and charges established pursuant to this article have first been paid.

(Code 1961, § 22A.17; Ord. No. 566, § 1, 11-10-75; Ord. No. 952, § 1(Exh. A), 7-25-00)

Secs. 21-172—21-177. Reserved.

DIVISION 6. CHARGES AND FEES

Sec. 21-178. User classifications, administration.

For the purpose of imposing the charges and fees authorized in this division, the council of the city, by resolution, shall establish user classifications; based upon standard limitations upon wastewater characteristics, constituents, and volumes uniformly applicable to users within each such classification, and shall establish terms and conditions for payment and collection of such charges and fees.

(Code 1961, § 22A.31; Ord. No. 566, § 1, 11-10-75; Ord. No. 952, § 1(Exh. A), 7-25-00)

Sec. 21-179. Charges.

The council of the city shall, by resolution, establish a schedule of charges to be imposed and levied upon all premises, based upon user classifications, for the use of the sewerage facilities and services furnished to said premises, in such amount as will provide for each user to pay his proportionate share of the costs of operation and maintenance (including replacement) of the sewerage facilities. Additionally, such charges shall provide for the payment to the city by industrial users of the sewerage facilities of that portion, if any, of